

Names of Counsel.

desires the instruction of this court for their proper decision is irregular when a quorum of its members does not sit in the case, (*United States v. Emholt*, 105 U. S. 414,) and that this certificate does not comply with rule thirty-seven of this court, inasmuch as it does not contain a proper statement of the facts on which the questions or propositions of law arise. While we have the power to require the whole record and cause to be sent up to us for consideration and decision, the sixth section of the Judiciary Act of March 3, 1891, does not contemplate that questions or propositions of law shall be propounded and the entire record thereupon transmitted for us to answer such questions or propositions in view thereof. It is for us, when questions or propositions are certified, accompanied by a proper statement of the facts on which they arise, to determine whether we will answer them as propounded or direct the whole record to be placed before us in order to decide the matter in controversy in the same manner as if the case had been brought up by writ of error or appeal.

We must decline, therefore, to answer the questions contained in this certificate, and order the case to be

Dismissed.

ABADIE v. UNITED STATES.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR
THE NORTHERN DISTRICT OF CALIFORNIA.

No. 260. Submitted April 24, 1893. — Decided May 1, 1893.

On the authority of *Cameron v. United States*, 146 U. S. 533, this case is dismissed because it does not appear that the jurisdictional amount is involved.

THE case is stated in the opinion.

Mr. James Herrmann for appellant.

Mr. Assistant Attorney General Maury for appellees.

Opinion of the Court.

THE CHIEF JUSTICE: This is an appeal from a decree of the Circuit Court of the United States for the Northern District of California in a proceeding under the act of Congress of February 25, 1885, entitled "An act to prevent unlawful occupancy of the public lands," 23 Stat. 321, c. 149, whereby appellant was directed to remove a fence and enclosure from certain sections of land therein described, in default of which it was decreed that the same should be destroyed by the marshal for said district. The value of the fence was claimed to exceed \$5000; but the fence was not the matter in dispute, nor was the appellant deprived thereof. For want of the jurisdictional amount, *Cameron v. United States*, 146 U. S. 533, the appeal must be

Dismissed.

UNITED STATES *v.* JONES.

ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE
WESTERN DISTRICT OF LOUISIANA.

No. 262. Submitted April 24, 1893. — Decided May 1, 1893.

A bill of exceptions signed after the final adjournment of the court for the term, without an order extending the time for its presentation, or the consent of parties thereto, or a standing rule authorizing it to be done, is improvidently allowed; and when the errors assigned arise upon the bill, the judgment will be affirmed.

THE case is stated in the opinion.

Mr. Assistant Attorney General Parker for plaintiffs in error.

Mr. T. Alexander and *Mr. N. C. Blanchard* for defendants in error.

THE CHIEF JUSTICE: Judgment was rendered in this case July 18, the writ of error sued out and allowed July 23, and the court adjourned for the term, July 30, 1889. So far as